

REMARKS

Claim Amendments

Claims 1-17 are pending. Claims 1, 3, 9, and 11 have been amended. Claims 14-17 have been added.

Claims 1, 3, 9, and 11 have been amended to delete references to "metropolitan area" and claims 1 and 9 have been amended to clarify that the tandem access points of the Neutral Tandem Network connect to standard switches as well as tandem switches of the carrier networks.

New independent claim 16 is a method claim setting forth how the tandem switching network routes traffic from a first wireline or wireless carrier network to a second wireline or wireless carrier network.

New dependent claims 14, 15, and 17 claim a significant function of the network connecting the tandem access points, namely, managing the efficient routing of transit traffic between the switch and the tandem access points. Support for this limitation may be found, for example, on page 12 of the specification.

No new matter has been introduced by these amendments and new claims.

Rejection under 35 U.S.C. §103(a) over Christie et al.

In the Official Action, claims 1-13 stand rejected under 35 U.S.C. §103(a) as allegedly being obvious over the teachings of Christie et al. (US 2004/0057427). Withdrawal of this rejection is respectfully requested for the reasons noted below.

Christie et al. disclose a communications system that enables number portability by providing a tandem "system" including a signaling processor and an ATM cross-connect (Figure 3). Although the ATM cross-connect does not perform all types of tandem routing performed by a conventional tandem switch, such a tandem "system" is desired by Christie et al. over conventional tandem switches since it is significantly less expensive.

The teachings of Christie et al. fall far short of suggesting the claimed invention to one skilled in the art. At best, Christie et al. teach a switch (the "tandem system" of Figure 3) that may be used as the claimed "switch for cross-connecting" in the claimed Neutral Tandem Network. More importantly, however, Christie et al. provide no teachings of a "network" connecting the switch to the public and private wireline and wireless carrier networks and to

"tandem switches" of the public and private wireline and wireless carrier networks as claimed. On the contrary, the "tandem system" taught by Christie et al. is taught to be a low cost alternative to a conventional tandem switch, not a "distributed switching network" that connects switches including tandem switches of the carrier networks to a switch to provide independent control and efficient routing of transit traffic amongst the carrier network switches and tandem switches. Christie et al. provide no teaching of connecting tandem switches to each other.

Not only does Christie et al. provide no "network" connecting the tandem access points as claimed, but Christie et al. provide no mechanism for the efficient routing of the transit traffic between carrier networks. For example, in the Christie et al. system, if the call is routed over a first carrier's transport then through the ATM cross-connect to a second carrier's transport, the call is not completed if the second carrier does not have sufficient capacity. The claimed "distributed switching network" of the invention provides alternative routing and call completion management capabilities so that the call may be completed, as now set forth in new dependent claims 14, 15, and 17.

In sum, Christie et al. do not provide tandem switching and transport functionality in a Neutral Tandem Network as claimed. Absent any teachings of the claimed network connecting the tandem access points as claimed, withdrawal of the rejection of claims 1-13 over Christie et al. and allowance of claims 1-17 is proper and is respectfully solicited.

Conclusion

Applicant requests withdrawal of the outstanding obviousness rejection and issuance of a Notice of Allowability. The Examiner is encouraged to contact the undersigned representative with any questions or to discuss any issues that may impede an early allowance of the application.

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